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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,190	06/15/2001	Wayne H. Bradley	29341/PC0057	8390
27433	7590	02/08/2005	EXAMINER	
FOLEY & LARDNER 321 NORTH CLARK STREET SUITE 2800 CHICAGO, IL 60610-4764			PERILLA, JASON M	
			ART UNIT	PAPER NUMBER
			2634	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/882,190	Applicant(s) BRADLEY, WAYNE H.	
	Examiner Jason M Perilla	Art Unit 2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/10/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-18 are pending in the instant application.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on October 12, 2001 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

3. Claims 1-18 are objected to because of the following informalities:

Regarding claim 1, in line 10, "the transmitted signal" should be replaced by --the received signal to clarify the claimed invention. Further, "the first spreading code" and "the second spreading code" of lines 20 and 23, respectively, are lacking antecedent basis in the claim.

Regarding claim 2, in line 2, "in-phase minus" should be replaced by --in-phase component minus--.

Regarding claim 3, in line 2, "the sum signal" should be replaced by --the selected one of the sum and difference signals-- and "of the real component" should be replaced by --of a real component--, in line 3, "of the imaginary component" should be replaced by --of an imaginary component--, and, in line 4, "the difference signal" should be replaced by --the selected one of the sum and difference signals--.

Regarding claim 4, in line 2, "the difference signal" should be replaced by --the selected one of the sum and difference signals--.

Regarding claim 5, in line 2, "the minus the quadrature in-phase component" should be replaced by --the quadrature component minus the in-phase component--.

Regarding claim 6, in line 2, "the sum signal" should be replaced by --the selected one of the sum and difference signals-- and "of the real component" should be replaced by --of a real component--, in line 3, "of the imaginary component should be replaced by --of an imaginary component--, and, in line 4, "the difference signal" should be replaced by --the selected one of the sum and difference signals--.

Regarding claim 7, in line 2, "the sum signal" should be replaced by --the selected one of the sum and difference signals--.

Regarding claim 8, inline 2, "the real" should be replaced by --a real--, and in lines, 3-4, "the first spreading code" is lacking antecedent basis.

Regarding claim 9, in line 2, "the real" should be replaced by --a real--.

Regarding claims 10-18, the claims are objected to for the same reasons as applied to claims 1-9, respectively, above.

Appropriate correction is required.

Allowable Subject Matter

4. The indication of allowable subject matter is made regarding claims 1-18.
5. The following is a statement of reasons for the indication of allowable subject matter:

Claims 1-18 are indicated to contain allowable subject matter because the prior art of record does not disclose or obviate a CDMA receiver having a selector for selecting signals based on a complex scrambling code or first and second selectable

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negation circuits based upon the complex spreading code and first and second spreading codes, respectively.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following prior art of record is cited to show the state of the art with respect to complex CDMA receivers.

U.S. Pat. No. 6252899 to Zhou et al.

U.S. Pat. No. 6005887 to Bottomley et al.

U.S. Pat. No. 5802111 to Diehl et al.

U.S. Pat. No. 3835392 to Mahner et al.

U.S. Publication No. 2002/0051486 to Aue.

7. This application is in condition for allowance except for the following formal matters:

The claim objections above.

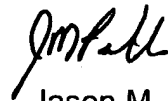
Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M Perilla whose telephone number is (571) 272-3055. The examiner can normally be reached on M-F 8-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on (571) 272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jason M. Perilla
January 31, 2005

jmp


STEPHEN CHIN
SUPERVISORY PATENT EXAMINER
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